

Message Text

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PAGE 01 STATE 015032
ORIGIN ARA-10

INFO OCT-01 ISO-00 PM-04 L-03 H-01 SS-15 NSC-05 CIAE-00
INR-07 NSAE-00 DODE-00 MC-02 IGA-02 AID-05 ACDA-07
OMB-01 TRSE-00 EB-08 DHA-02 IO-13 /086 R

DRAFTED BY ARA:ECA:FERONDON:LK
APPROVED BY ARA:CWBRAV
ARA/ECA:RWZIMMERMANN(DRAFT)
ARA/RPP:JKING(DRAFT)
ARA/ECA:RGRAHAM(DRAFT)
PM/SAS:SGEIS(DRAFT)
L/PM:JHMICHEL(DRAFT)
H:EBLACK (DRAFT)

-----222210Z 013777 /64

P 222151Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY BUENOS AIRES PRIORITY
USCINCSO QUARRY HEIGHTS CZ PRI
INFO AMEMBASSY MONTEVIDEO PRIORITY

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E.O. 11652:N/A

TAGS: MASS, AR, UY

SUBJECT: ARGENTINE TRANSFER OF F-86S TO URUGUAY

REF: DSAA/TS/4225/76, 300057Z DEC 76

1. ARGENTINE EMBASSY HAS REQUESTED U.S. GOVERNMENT
APPROVAL TO TRANSFER TWELVE F-86 AIRCRAFT TO URUGUAY.
THESE WERE ACQUIRED BY ARGENTINA IN 1963; THE AIRCRAFT CAN-
NOT BE TRANSFERRED WITHOUT USG CONSENT.

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PAGE 02 STATE 015032

2. AFTER REVIEWING POLITICAL, HUMAN RIGHTS, AND LEGAL
CONSIDERATIONS INVOLVED IN TRANSFER, DEPARTMENT HAS DECIDED
TO DENY THIS REQUEST.

3. US MILITARY ASSISTANCE TO URUGUAY IS PROHIBITED BY THE
FY 1977 APPROPRIATION ACT (KOCH AMENDMENT). CONSENT TO THE
PROPOSED TRANSFER MIGHT EASILY BE PERCEIVED IN CONGRESS AS

AN EVASION OF THIS PROHIBITION.

4. THE USG CANNOT LAWFULLY CONSENT TO A THIRD PARTY TRANSFER UNLESS THE USG WOULD ITSELF TRANSFER THE ARTICLES IN QUESTION DIRECTLY TO THE PROPOSED RECIPIENT. THIS REQUIREMENT, CONTAINED IN SECTION 3 OF THE ARMS EXPORT CONTROL ACT, IS INTENDED TO COMPEL CONSISTENCY IN OUR ARMS

TRANSFERS POLICIES.

5. SECTION 3 OF ARMS EXPORT CONTROL ACT REQUIRES THAT WE OBTAIN ASSURANCES FROM THE RECIPIENT AGAINST FURTHER TRANSFER AND THAT WE GIVE CONGRESS THIRTY DAYS ADVANCE NOTICE BEFORE APPROVING ANY THIRD COUNTRY TRANSFER.

6. DEPARTMENT WILL TURN DOWN ARGENTINE REQUEST IN NEXT FEW DAYS WITH BRIEF DIPLOMATIC NOTE. ARGENTINES WILL BE ADVISED ORALLY THAT HUMAN RIGHTS SITUATION, AS EVIDENCED BY THE KOCH AMENDMENT, IS PRINCIPAL REASON FOR TURNDOWN. IN ADDITION, WE WILL MENTION CONGRESSIONAL NOTICE REQUIREMENT AND POSSIBILITY THAT USG APPROVAL OF TRANSFER WOULD STIMULATE CONGRESSIONAL ACTION ON ARGENTINA, PERHAPS SIMILAR TO THE KOCH AMENDMENT. WE WILL LEAVE IT UP TO ARGENTINES TO ADVISE URUGUAYANS.

7. WE INTEND TO MAKE POINT TO ARGENTINES THAT KOCH AMENDMENT WILL PROBABLY NOT GET REMOVED UNTIL THERE IS A SUBSTANTIAL CHANGE IN THE HUMAN RIGHTS SITUATION IN URUGUAY. CONCURRENTLY, WE WILL NOTE THAT THERE IS A REAL LIMITED OFFICIAL USE

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PAGE 03 STATE 015032

DANGER OF THE SAME KIND OF AMENDMENT FOR ARGENTINA IF HUMAN RIGHTS SITUATION DOES NOT IMPROVE VERY SOON THERE TOO.
HABIB

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY ASSISTANCE, FIGHTER AIRCRAFT
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE015032
Document Source: CORE
Document Unique ID: 00
Drafter: ECA:FERONDON:LK
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770024-0685
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770126/aaaaawzu.tel
Line Count: 101
Litigation Code IDs:
Litigation Codes:
Litigation History:
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Message ID: f3b8b7d2-c288-dd11-92da-001cc4696bcc
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Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 15-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
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Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3527879
Secure: OPEN
Status: NATIVE
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TAGS: MASS, AR, UY
To: BUENOS AIRES USCINCSO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/f3b8b7d2-c288-dd11-92da-001cc4696bcc
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